

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DENYS IARMAK,

Defendant.

NO. CR19-257RSM

**ORDER CONTINUING TRIAL DATE
AND PRETRIAL MOTIONS DEADLINE**

THE COURT, having considered the Stipulated Motion to Continue Trial Date and Deadline to File Pretrial Motions, any responses, filings, or memoranda related thereto, and all the files and records herein, finds as follows:

1. The facts and circumstances are as set forth in the Stipulated Motion to Continue Trial Date and Deadline to File Pretrial Motions, and this Court's General Orders, Nos. 01-20, 02-20, 03-20, 04-20, and 07-20;

2. Failure to grant a continuance in this case will deny counsel the reasonable time necessary for effective preparation of trial and other pretrial proceedings, taking into account the exercise of due diligence;

3. Failure to grant a continuance would likely result in a miscarriage of justice, and the case is complex due to such factors as the nature of the prosecution, the potential novel questions of law and fact, the size, scope, and technical nature of

1 | discovery, the foreseeable trial evidence, availability and continuity of counsel, the
2 | potential serious consequences of conviction, and significant complications arising from
3 | the ongoing and developing COVID-19 outbreak;

4 | 4. The ends of justice served by granting this continuance outweigh the best
5 | interest of the public and the defendants in a speedy trial;

6 | 5. All these findings are made within the meaning of 18 U.S.C.
7 | § 3161(h)(7)(A) and (B)(i),(ii) and (iv);

8 | 6. The period of time from the filing date of the Stipulated Motion to
9 | Continue Trial Date and Deadline to File Pretrial Motions until the new trial date, set
10 | forth below, shall be excludable time pursuant to the Speedy Trial Act, 18 U.S.C.
11 | § 3161(h)(7)(A).

12 | IT IS THEREFORE ORDERED that:

13 | 1. The trial in this matter is continued to September 12, 2022.

14 | 2. Pre-trial motions are due no later than June 2, 2022. Any pretrial motion
15 | shall be noted for consideration on the third Friday after it is filed, with any response
16 | thereto due no later than 14 days after filing of motions.

17 | 3. The defendant shall immediately file with the Court a waiver of rights
18 | under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*, through the aforementioned trial
19 | date, consistent with this Order.

20 | DONE this 13th day of July, 2020.

21 | 

22 | RICARDO S. MARTINEZ
23 | CHIEF UNITED STATES DISTRICT JUDGE
24 |

25 | Presented by:

26 | s/ Francis Franze-Nakamura
27 | FRANCIS FRANZE-NAKAMURA
28 | STEVEN MASADA

Assistant United States Attorneys
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